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11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF WESTERN WASHINGTON**

13 **MICHAEL J. SALVO,**

14 Plaintiff,

15 vs.

16 No. 21-430

17 **COMPLAINT FOR EQUITABLE**  
18 **RELIEF AND DAMAGES**

19 **HORIZON AIR INDUSTRIES, INC.,**  
20 **AND ALASKA AIR GROUP, INC.**

21 **(JURY DEMAND)**

22 Defendants.

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23 **I. INTRODUCTION**

24 1. This is an action arising under the anti-retaliation provisions of Title  
25 VII and the Washington Law Against Discrimination and under the common law  
26 by Plaintiff Michael Salvo (hereinafter “Plaintiff” or “Salvo”) against his former  
27 employers, Horizon Airlines (hereafter “Horizon” or “Defendants”) and Alaska Air

1 Group (hereafter “Alaska Air” or “Defendants”). Defendants employed Plaintiff as  
 2 a Pilot Sim Instructor from August 2016 until his unlawful termination on March  
 3 30, 2018. This action seeks equitable relief, compensatory damages, punitive  
 4 damages, attorney’s fees, expert witness fees, taxable costs of court, prejudgment  
 5 and post-judgment interest for retaliation suffered by the Plaintiff in the course of  
 6 his employment with Defendants. Plaintiff alleges that Defendants Horizon and  
 7 Alaska Air engaged in unlawful reprisal for Plaintiff’s equal employment  
 8 opportunity (EEO) and Washington Human Rights Commission (HRC) activity  
 9 and disclosures in furtherance of Washington public policy when they retaliated  
 10 against him and terminated him.

15       2. Defendants’ retaliatory conduct towards Plaintiff was in violation of  
 16 Title VII, 42 U.S.C. § 2000e, et seq. and the Washington Law Against  
 17 Discrimination, codified under RCW 49.60 et seq. Defendants retaliatory conduct  
 18 was also in violation of the common law of the State of Washington.

## 21                   **II. JURISDICTION**

22       3. This action is brought pursuant to Title VII, 42 U.S.C. § 2000e, et seq.  
 23 the Washington Law Against Discrimination, codified under RCW 49.60 et seq.,  
 24 and Washington State common law. This Court has federal question jurisdiction  
 25 under 28 USC § 1331, §1343 (a)(3) and (4), and supplemental jurisdiction over the  
 26 state claims under 28 USC § 1337.

4. Plaintiff has exhausted all administrative procedures required by law on all of the claims for relief pleaded herein where exhaustion is required. As to the retaliatory actions against the Plaintiff due to prior protected activity under Title VII and the WLAD, the Plaintiff has followed the relevant regulations. Plaintiff filed a complaint of discrimination under EEO Charge Number 38G-2019-00053 and WSHRC Charge No. 17EZ-0312-18-9.

5. The United States Equal Employment Opportunity Commission issued a Dismissal and Notice of Rights (hereafter Notice) dated March 21, 2021, entitling Plaintiff to file an action in this Court for his claims. Plaintiff received the Notice on March 23, 2021. This suit is timely filed within 90 days of receipt of this Notice.

6. The Court also has personal jurisdiction over Defendants since they regularly conduct business in the State of Washington, and therefore have minimum contacts with the State of Washington. Alternatively, the Court has personal jurisdiction over Defendants since the acts giving rise to this suit occurred within the State of Washington.

### III. VENUE

1       7.     Venue lies in this U.S. District Court under 28 U.S.C. § 1331 since  
2 a substantial part of the events or omissions giving rise to this cause of action  
3 occurred in the Western District of Washington.

4

#### 5           **IV. PARTIES**

6

7       8.     The Plaintiff, Michael Salvo, is an individual and a citizen of the  
8 United States and resident of Seattle, in King County, in the State of Washington.

9       9.     The Defendant, Alaska Air Group, Inc. is a corporation organized and  
10 existing under the laws of the State of Washington with headquarters in Seattle,  
11 WA. It is located at 19521 International Boulevard, Seattle, Washington, 98168.  
12 Defendant Horizon is an American regional airline also based in SeaTac,  
13 Washington, and owned by Alaska Air Group, Inc. It is also located at 19521  
14 International Boulevard, Seattle, Washington, 98168. Since 2011, Horizon has  
15 operated under a capacity purchase agreement (CPA) business model, whereby it  
16 operates and maintains its aircraft while Alaska Air is responsible for scheduling,  
17 marketing, and pricing all flights. Horizon issued the paychecks to Plaintiff, but  
18 Alaska Air and Horizon controlled, supervised and directed the Plaintiff's day-to-  
19 day employment activities and/or terms and conditions of employment.

20       10.   Whenever in this Complaint it is alleged that Defendants committed  
21 any act or omission, it is meant that the Defendants' officers, directors, vice-  
22  
23

1 principals, agents, servants, or employees committed such act or omission and that  
2 at the time such act or omission was committed, it was done with the full  
3 authorization, ratification or approval of Defendants or was done in the routine  
4 normal course and scope of employment of the Defendants' officers, directors,  
5 vice-principals, agents, servants, or employees.  
6  
7

## 8 V. BACKGROUND FACTS

9 11. Plaintiff is a pilot and Certified Flight Instructor. He has over thirty  
10 years of experience flying, including on the Boeing 747, 727, DHC-8, Q400, A-10,  
11 and A-37s. Plaintiff has maintained his flight instructor certificate since 1978. He  
12 served for nine years as a U.S. military pilot and flight instructor from 1980-1989.  
13 Northwest Airlines hired Plaintiff in 1984 and made him a Captain in 1999. As a  
14 result of his long career, he has considerable knowledge and experience of  
15 domestic and international airline operations.  
16  
17

18 12. Horizon operates two regional type aircraft, Bombardier Dash 8 Q400  
19 and the Embraier 175. At the time of Plaintiff's employment with the Defendants  
20 in 2017, the U.S. was facing a shortage of pilots. Regional carriers like Horizon  
21 are often the training grounds and source of recruitment for the major carriers. The  
22 forecast at that time was that more than 42% of active U.S. pilots at the biggest  
23 carriers would retire over the next ten years (roughly 22,000 pilots). The projected  
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1 retirements from the major carriers exceeded the active U.S. regional airline pilot  
 2 corp (roughly 19,000 pilots).  
 3

4       13. Pilot shortages have significant implications for an air carrier's profits  
 5 and indeed an airline's continuing existence. In 2016 Republic Airways filed for  
 6 Chapter 11 bankruptcy protection in part because it had to ground aircraft due to a  
 7 lack of pilots. In June 2017, Horizon announced it had to cancel six percent of its  
 8 schedule – more than 300 flights -- from August to September 2017 because it did  
 9 not have enough pilots to cover its flights.  
 10

12       14. At the same time, after the 2009 Colgan Air crash that killed 50  
 13 people, new rules on pilot training were put in place. New pilots are required to  
 14 have 1,500 hours of flight time before they can earn their air transport pilots  
 15 license. This means an additional 1,250 hours pilots must accumulate after getting  
 16 their commercial certification.  
 17

19       15. Defendants are regulated by the Federal Aviation Administration  
 20 (FAA). The FAA sets forth regulations that govern the operations of aircraft and  
 21 the oversight of pilots in the Federal Aviation Regulations (FARs). These  
 22 regulations set forth specific requirements governing training and pilot and  
 23 instructor certifications in 14 CFR part 60 and 61.  
 24

1 16. Defendants also have published employment policies to implement  
2 federal and state laws. These policies include a Code of Conduct that claims:  
3

4 We also strive to create a great work environment where our employees  
5 feel respected and valued – unlawful harassment and discrimination is  
6 prohibited. We don't tolerate behavior that creates an unlawful hostile  
7 work environment, which means we don't make derogatory jokes or  
8 slurs about our co-workers, use unwelcome gestures, or pass around  
9 offensive or rude emails, texts, or printed materials based on their status  
10 in a protected class.  
11

12 17. The Code of Conduct imposes obligations on Defendants managers to  
13 prevent and report harassment:  
14

15 If you're a manager, a big part of your job is to ensure there is no  
16 unlawful harassment or discrimination occurring among the people  
17 who report to you. If you see or hear anything that might be unlawful  
18 harassment and discrimination, or even just inappropriate workplace  
19 behavior, you must report the behavior immediately to your leader or  
20 HR  
21

22 18. Plaintiff began employment with Defendants as a Sim Instructor in  
23 August 2016. In early March 2017, before Plaintiff's protected disclosures,  
24 Training Director Jeff Sparks praised Plaintiff for his performance noting he was  
25 "right on". Plaintiff received a raise based upon his performance at the end of  
26 March 2017.  
27

28 19. As part of his employment, Plaintiff used Defendants' Flight Training  
Management System, the central repository of each pilots' training maintained by  
29

1 Defendants in part to prove regulatory compliance with FAA requirements for pilot  
2 training. Plaintiff was required to make entries for each simulator session that he  
3 administered. Plaintiff was required to check off each task the student pilot  
4 performed and record whether the pilot was proficient or not.

5       20. When Plaintiff began his training, Defendants assigned David  
6 McGraw to train him in the simulator. McGraw was the most senior Q400  
7 instructor at Horizon. McGraw was Plaintiff's simulator instructor for at least eight  
8 periods and was Plaintiff's seat support acting as his First Officer or co-pilot  
9 during Plaintiff's check ride. During this training, McGraw was abusive and  
10 condescending, would frequently not follow Defendants' training policies, and  
11 would make discriminatory and inappropriate sexual, racial, and national origin  
12 remarks.

13       21. On January 9, 2017, a student named Daniel Borg joined Defendants  
14 as a Pilot First Officer and commenced training. Borg was a career firefighter for  
15 26 years and had extensive flight experience prior to joining Defendants. Borg  
16 was also assigned McGraw in the simulator. While McGraw was training Borg,  
17 McGraw again made derogatory slurs and unwelcome gestures based on race,  
18 national origin, and/or sex in front of Borg and his co-workers.

1       22. Specifically while training Borg in February 2017, flight instructor  
2 McGraw stated “You better watch your ass in Seattle because there’s nothing but  
3 raghead truck drivers and Ethiopian rampers.” McGraw also made a sexual  
4 gesture to imply masturbation when discussing a work place procedure in front of  
5 Borg.  
6

7       23. Borg reported this to Horizon’s then chief pilot Ali Donway in writing  
8 via memorandum dated March 14, 2017, in which Borg detailed the instructor  
9 McGraw’s prohibited employment comments and conduct including his race and  
10 national origin based derogatory slurs and sexual gestures. Borg hand-delivered  
11 the complaint letter to Donway and then had a meeting with her to report his  
12 concerns.  
13

14       24. Rather than move to make timely redress of Borg’s concerns or  
15 adhere to the Code of Conduct, Donway told Borg that “she didn’t have time for  
16 this.” Donway also stated that Borg’s experience with the instructor in question  
17 was not unique and “that’s just Mac”. To Plaintiff’s knowledge, Borg’s concerns  
18 were not investigated, and Defendants failed to stop the derogatory slurs and  
19 inappropriate conduct.  
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1       25. Borg's protected activity became known through management,  
2 including when it was discussed in a pilot instructor meeting that Borg had made a  
3 complaint about an instructor.  
4

5       26. While Plaintiff Salvo was overseeing Borg as a student, McGraw  
6 called Plaintiff Salvo and instructed Salvo to document Borg's "training events".  
7 Because this was an unusual call for a prior instructor to make, Plaintiff understood  
8 McGraw to be instructing Plaintiff to make a case against Borg so that Borg could  
9 not become a pilot in retaliation for Borg's opposition of McGraw's statements.  
10

12       27. Plaintiff then learned from fellow instructor Dave Bayro that Borg had  
13 made a complaint against McGraw for his comments. Bayro suggested to Plaintiff  
14 that Plaintiff make it difficult for Borg, that he adversely document Borg's  
15 training, and that Plaintiff should not send him for his check ride "LOE" because  
16 Borg had filed a complaint against McGraw.  
17

19       28. Additionally, after Borg's March 2017 report, Borg's name was  
20 brought up at an instructor meeting. Various attendees made it clear in the meeting  
21 that Borg had filed a complaint about McGraw and that the instructors should not  
22 help him get through training. The lead instructor said nothing to contravene this  
23 instruction. Later, a fellow instructor told Salvo that the instructor had confronted  
24 another instructor as to why that instructor passed Borg on his check-ride.  
25  
26

## 1 VI. PROTECTED ACTIVITES

2 29. In approximately November 2016, Plaintiff reported McGraw's  
3 discriminatory conduct and statements to Defendants' Director of Training Mark  
4 Goldstein and Training Manager Jeff Sparks. Rather than seek to investigate and  
5 remediate, Sparks told Plaintiff "there is nothing you can do to change that".  
6

7 30. Throughout March to June 2017, Plaintiff Salvo opposed the unlawful  
8 scheme to retaliate against Borg. After Salvo was instructed to not assist Borg and  
9 to document events against Borg to try to force Borg to fail and in reaction to  
10 Borg's objecting to and/or opposing discriminatory comments, Plaintiff had Borg  
11 for Borg's last LOFT training before Borg's LOE check ride.  
12

13 31. Plaintiff refused to participate in misstating Borg's simulator and  
14 training performance and conduct. Plaintiff based his assessment of Borg based on  
15 Borg's actual performance.  
16

17 32. Plaintiff also declined to falsify Borg's assessment in mid-2017.  
18 Instead, he reported Borg had all the proficient grades to allow him to take the  
19 check ride and advised Defendants of the same. Several other instructors chastised  
20 Plaintiff for this oppositional activity. When Plaintiff was questioned as to why he  
21 had recommended Borg for his checkride, Plaintiff stated Borg had objectively met  
22 all the criteria and deserved to pass.  
23

1       33. In June 30, 2017, Sparks wrote to Plaintiff about one particular  
2 candidate and told Plaintiff to “make” a particular candidate successful. Sparks  
3 stated “we want him to be here.” Because Plaintiff had not received such an  
4 abnormal request on behalf of any other candidate in his time there, and because  
5 the candidate was African-American, Plaintiff was concerned that Sparks was  
6 encouraging Salvo to falsify training records to advantage an African-American  
7 candidate. Plaintiff refused to withhold any truthful negative comments or negative  
8 assessments on the basis of race that were fairly earned by the candidate.

12       34. While working in the Horizon Training Department, Plaintiff  
13 observed worsening data issues and report falsification in 2017 to 2018. For  
14 instance, Plaintiff attempted to enter data in the training records of a number of  
15 students. Plaintiff noted that students had been marked as proficient in a maneuver  
16 (such as upset recovery), and yet the students confirmed to him that they had never  
17 performed the maneuver.

20       35. Sometimes the data Plaintiff entered was negative and would require  
21 the student receive further training before proceeding on in the curriculum.  
22 Plaintiff was chastised by management for doing this. He observed training records  
23 were changed by one of the clerks after the fact. He also observed that training  
24 events would be deleted and students were rescheduled with another instructor who  
25  
26  
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28

1 would give them good marks and send them on to the next event or check ride.

2 Plaintiff complained about instructions from management to not enter negative  
3 data about students that could slow down their progression through training.

4 Plaintiff refused to follow their instructions and leave data out of the individual's  
5 training records.

6       36. On December 10, 2017, Plaintiff objected to Horizon Training  
7 Scheduling Pilot Jennifer Portis and FTMS Manager Caysie Duax about the  
8 unlawful operation of the Flight Training Management System (FTMS). He noted  
9 that for a particular student that day, the score had been already filled in and had  
10 been done under Plaintiff's name. Plaintiff reported that this was not legal, and he  
11 would not participate in signing off on scores he did not report or observe.

12       37. Shortly after Plaintiff's email, Director of Training Tristan Anderson  
13 called Plaintiff to discuss the illegality of FTMS. Plaintiff repeated his concern  
14 about Defendants' illegal FTMS system and said Defendants were deleting  
15 Plaintiff's data and trying to get Plaintiff to sign off on maneuvers Plaintiff did not  
16 do with the student.

17       38. In January 2018, Plaintiff had to complete a sub-standard pilot  
18 progress report. Such report is not a common occurrence for Plaintiff, but he  
19

1 observed a student pilot to have been so out of compliance with training  
 2 requirements that he was concerned the problem was systemic.  
 3

4 39. Based on Plaintiff's observations, the training lapses were getting  
 5 worse in 2017. Chief Instructor Steve Bossom contacted Plaintiff on January 10,  
 6 2018 in response to Plaintiff's report and told Plaintiff that it looked like the  
 7 student had never been held accountable up to that point, which was alarming  
 8 because prior instructors should have caught and documented the deficiencies.  
 9

10 40. After Plaintiff's objections to Portis and Duax, on approximately  
 11 February 2018, Supervisor Jeff Sparks told Plaintiff not to enter remarks about his  
 12 simulator sessions in the students' training records. Sparks told Plaintiff that they  
 13 would learn it "in the airplane". Plaintiff objected to this instruction and continued  
 14 to enter comments so he could fully and accurately record each pilot's training, as  
 15 required by the FAA.  
 16

17 41. On March 27, 2018, Plaintiff had just completed a simulator session  
 18 with two students and entered data for the students that included some critical  
 19 comments. As soon as Plaintiff entered the data, Portis contacted Plaintiff and told  
 20 him she deleted his data.  
 21

22 42. Plaintiff objected to Portis deleting his data and then informed Portis  
 23 that he intended to contact the FAA regarding the data integrity and training issues  
 24

1 he had previously identified. He then filed an Aviation Safety Report complaint  
 2 with the FAA regarding Defendants' failure to follow the FAA approved training  
 3 program. He referenced the upset recovery maneuver in his filing and shortly  
 4 thereafter Bossom sent out an email to the employees regarding upset recovery.  
 5

6 43. On March 28, 2018, Plaintiff notified Training Manager Diana Higbee  
 7 (who was previously under, and then replaced, Jeff Sparks) that he intended to  
 8 meet with the Equal Employment Opportunity Commission concerning the work  
 9 environment at Horizon.

10 44. On March 30, 2018, Plaintiff contacted Check Airman John  
 11 Dittemore, who reported to Jeff Sparks, to schedule a time to raise concerns about  
 12 Defendants' training failures.

13 45. On February 12, 2019, the FAA Flight Standards Service notified  
 14 Plaintiff that they completed its investigation of his air carrier safety allegations  
 15 and substantiated that a violation of an order, regulation or standard of the FAA  
 16 related to air carrier safety occurred. Almost a year later, on January 2, 2020, the  
 17 FAA sent a second letter reversing their prior determination.

18 **VIII. ADVERSE ACTIONS**

19 46. Defendants subjected Plaintiff to a hostile work environment, where  
 20 they failed to address or remediate the inappropriate comments from McGraw,  
 21 harassed him for not complying with their scheme against Borg, instructed him to  
 22

1 fail to record information in his training records, or to sign off on entries he did not  
2 make or perform, and/or deleted his information from the system.  
3

4 47. On March 31, 2018, Plaintiff received a notice of termination of his  
5 employment for pretextual reasons of “performance” and “employee engagement”.  
6

## 7 IX. CAUSES OF ACTION

### 8 A. FEDERAL CAUSE OF ACTION: RETALIATION IN VIOLATION 9 OF TITLE VII

10 48. Plaintiff realleges the above paragraphs.

11 49. The above acts are separate and continuing violations of Title VII of  
12 the 1964 Civil Rights Act, as amended, 42 U.S.C §2000e et seq.

13 50. In retaliating against and terminating Plaintiff for opposing and  
14 complaining about national origin, race, and/or sex discrimination, the Defendant  
15 violated Title VII of the 1964 Civil Rights Act, as amended, 42 U.S.C §2000e et  
16 seq.

17 51. Plaintiff (a) engaged in a protected activity by opposing what he  
18 reasonably believed to be discrimination based on sex, national origin and/or race,  
19 which is an unlawful employment practice under Title VII; (b) suffered the hostile  
20 work environment and the adverse employment decision of termination, as set  
21 forth above, and (c) because a substantial contributing factor to this treatment and  
22

1 termination was consideration of plaintiff's protected activity, there exists a causal  
2 link between his protected activity and the adverse actions.  
3

4 52. Defendant's termination of Plaintiff caused his actual, economic,  
5 noneconomic, compensatory and special damages including but not limited to (a)  
6 damage to his career and his ability to obtain the highest-level employment within  
7 his industry; (b) lost wages, income and benefits; (c) damage to his professional  
8 reputation and interruption of his demonstrated work history; and (d) ongoing  
9 mental and emotional distress, humiliation, embarrassment, loss of self-esteem,  
10 and diminution in his enjoyment of life.  
11  
12

13 **B. STATE CAUSE OF ACTION: VIOLATION OF THE WASHINGTON  
14 LAW AGAINST DISCRIMINATION**

16 53. Plaintiff realleges the above paragraphs.  
17  
18

54. The above acts are separate and continuing violations of Washington  
Law Against Discrimination.  
19

20 55. In retaliating against and terminating Plaintiff, Defendant violated the  
21 Washington Law Against Discrimination, as codified in the RCW 49.60.  
22

23 56. Plaintiff was opposing what he reasonably believed to be retaliation  
24 on the basis of EEO and WSHRC protected activity and (2) a substantial factor in  
25 the decision to terminate was Plaintiff's opposing what he reasonably believed to  
26 be discrimination.  
27  
28

57. Defendants' termination of Plaintiff caused his actual, economic, noneconomic, compensatory and special damages including but not limited to (a) damage to his career and his ability to obtain the highest-level employment within his industry; (b) lost wages, income and benefits; (c) damage to his professional reputation and interruption of his demonstrated work history; and (d) ongoing mental and emotional distress, humiliation, embarrassment, loss of self-esteem, and diminution in his enjoyment of life.

## **C. STATE CAUSE OF ACTION: WRONGFUL DISCHARGE IN VIOLATION OF PUBLIC POLICY**

58. Plaintiff incorporates all of the foregoing allegations herein.

59. There is a clear public policy applicable herein; discouraging the conduct in which Plaintiff engaged would jeopardize that public policy; and the public-policy-linked conduct caused Plaintiff's dismissal. Plaintiff refused to commit an illegal act; Plaintiff exercised a legal right or privilege; and/or Plaintiff reported employer misconduct.

60. The State of Washington through its own legislation and through implementation of federal law and regulations, and in its case law has clearly articulated public policies regarding: (a) the protection of human life; (b) encouraging employees to report employer wrongdoing; and (c) protecting employees from retaliation when they report employer wrongdoing.

1       61. These public policies are clearly articulated in a number of legislative  
2 and judicial sources, including but not limited to the following legislative and  
3 judicial sources: *Ellis v. City of Seattle*, 142 Wash.2d 450, 13 P.3d 1065 (2000),  
4 stating the protection of human life is a fundamental and clear public policy  
5 recognized in multiple legislative and judicial sources; *Gardner v. Loomis*  
6 *Armored Inc.*, 128 Wn. 2d at 936, finding an employer contravened public policy  
7 when it terminated an employee who went to the aid of a citizen facing imminent  
8 harm or death; the Washington State Whistleblower Act, which prohibits the state  
9 from taking action against its whistleblower employees; and Section 519 of the  
10 Wendell Ford Aviation Investment and Reform Act for the 21<sup>st</sup> Century, protecting  
11 employees in the airline industry who report violation of order, rule or regulation  
12 relating to air carrier safety.

13       62. Plaintiff engaged in particular conduct directly related to or necessary  
14 to enforce the clear mandate of these clearly articulated public policies.  
15 Discouraging the particular conduct engaged in by the Plaintiff would jeopardize  
16 the clear mandate of public policies stated above; and other means of promoting  
17 the clear mandate of public policies above are inadequate.

18       63. The Plaintiff reasonably believed that Defendants' conduct as  
19 described above had violated and was continuing to violate laws and regulations  
20  
21  
22  
23  
24

1 regarding (a) the protection of human life; (b) legislation encouraging employees  
2 to report employer violations of the law to the employer or appropriate state and  
3 federal regulatory agencies; and (c) legislation protecting employees who did  
4 report employer violations of the law to the employer or state and federal  
5 regulatory agencies.  
6

8 64. The above referenced adverse actions against the Plaintiff were  
9 intended by the Defendants to discourage him from engaging in protected activity,  
10 including contact with regulators, to further the referenced public policies.  
11 Retaliation against the Plaintiff because of his protected activity was the cause  
12 and/or a substantial motivating factor in the Defendants' decision to terminate him  
13 from his employment.  
14

16 65. Defendants' stated justification for Plaintiff's termination was false  
17 and/or pretextual, and the termination of Plaintiff from his employment was  
18 wrongful under the common law of the State of Washington.  
19

21 66. The Defendants' wrongful termination of the Plaintiff caused him the  
22 injury and damages referenced above.  
23

## VII. PRAYER FOR RELIEF

25 WHEREFORE, Plaintiff prays for judgment against the Defendants and for  
26 all relief at law or equity to which Plaintiff is entitled, including but not limited to:  
27

1       A.    Reinstatement to his employment with Defendant, and if  
2 reinstatement is not ordered, then front pay for a period of at least five years,  
3 including bonuses and benefits;

4  
5       B.    Upon reinstatement, an injunction to the Defendant to remediate the  
6 hostile work environment, harassment and intimidation to which it subjected  
7 Plaintiff;

8  
9       C.    Back pay for all lost wages and benefits, including lost bonuses, and  
10 any other compensation, and reimbursement for lost pension, insurance, and all  
11 other benefits;

12  
13       D.    Economic damages for injury to Plaintiff's career, professional  
14 reputation and earning capacity, in an amount to be determined at trial;

15  
16       E.    Non-economic damages for mental and emotional distress,  
17 embarrassment and humiliation, in an amount to be determined at trial;

18  
19       F.    Expungement of written warnings, reprimands, negative performance  
20 appraisals and other derogatory information and references which have been  
21 placed in the Plaintiff's personnel file;

22  
23       G.    Posting of a notice to Defendants' employees indicating that the  
24 Defendants have been ordered to comply with the anti-retaliation provisions, and  
25 to make appropriate restitution to the Plaintiff;

H. Reasonable costs and attorney's fees, together with all other relief available from law and equity, including the costs of expert witnesses;

I. An order that Defendants provide a neutral employment reference to include dates of employment, job title, and final wage rate, to all potential employers regarding Plaintiff in the event reinstatement is not ordered; and

J. Pre-judgment and post-judgment interest as allowed by law.

DATED: March 30, 2021

Respectfully submitted,

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## COMPLAINT

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